

Attachment to Independent Case Review Report  
For CDRU # 6427 Case file # 95-255588.

Material Examiner: Malone (RO)

Remarks:

Case resulted in guilty plea.

# INDEPENDENT CASE REVIEW REPORT

Independent Review conducted by: Steve Robertson

Area(s) of Expertise: Hair and Fiber

Review commenced at: 9:30 AM (Time), 03/15/2001 (Date)

File #: 95-255588

Laboratory #(s): 30526052  
30531083  
30831048

## Examiner(s) & Symbols

	Reviewed	Not Reviewed	Reviewed	Not Reviewed
<u>RQ</u>	X <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<u>UL</u>	<input type="checkbox"/>	X <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<u>      </u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

## Materials Reviewed

Trial testimony transcript(s) of: \_\_\_\_\_

Testimony Date(s): \_\_\_\_\_ Pages: \_\_\_\_\_

Laboratory Report(s):

Laboratory Number: 30526052/30531083 Date: Aug 9, 1983

Laboratory Number: 30831048/30526052/30531083 Date: Sept 13, 1983

Laboratory Number: \_\_\_\_\_ Date: \_\_\_\_\_

Examiner Bench Notes of: RQ

Laboratory Number: 30526052

30831048

Page 1 of 3

Initials: SR

CRM 581 A

Was any other material reviewed?  Yes  No

If yes, please identify and/or describe the material: Submitting agency letters (dated 5-24-83 and 8-26-83)

### Results of Review

File #: 95-255588 Item or Specimen # Reviewed: Q1-Q25, K1, K3

#### Review of Laboratory Report(s) and Bench Notes:

**Note: Numbered comments are required below or on additional pages for any "No" or "Unable to Determine" Responses**

- 1) Did the examiner perform the appropriate tests in a scientifically acceptable manner, based on the methods, protocols, and analytic techniques available at the time of the original examination(s)?  
 Yes  No  Unable to Determine
- 2) Are the examination results set forth in the laboratory report(s) supported and adequately documented in the bench notes?  
 Yes  No  Unable to Determine

#### Review of Testimony:

**Note: Numbered comments are required below or on additional pages for any "No" or "Unable to Determine" Responses**

Transcript not available.

- 3) Testimony consistent with the laboratory report(s)?  Yes  No  Unable to Determine
- 4) Testimony consistent with the bench notes?  Yes  No  Unable to Determine
- 5) Testimony within bounds of examiner's expertise?  Yes  No  Unable to Determine

Page 2 of 3

Initials: SM

Comments

(Set forth by above question #, if applicable.  
Use "Additional Comments" Sheet, if needed)

File #: 95-255588

#1: With microscopic hair comparison, even with the best notes, there is no way to determine the comparison was performed correctly.

#2: The examination results set forth in the laboratory report are supported by the bench notes, but the documentation is marginally adequate. The notes are not dated or initialed and are in pencil. The notes do not indicate that hair was recovered from Q1-Q17, yet a hair from Q1 matched the victim's hair and a hair from Q15 matched the suspect's hair. Malone uses abbreviations to indicate the microscopic characteristics of the suspect's hair. These abbreviations are difficult to interpret. A detailed characterization of the victim's hair is not documented. While the failure to document these microscopic characteristics does not prevent a comparison from being performed, adequate documentation is achieved when this characterization is done.

Review completed at: 10:15 AM (Time), 03/15/2001 (Date)

Total time spent conducting review (to nearest 1/4 hour): 0:45 hours

I hereby certify that I conducted this review in an independent, unbiased manner and that the results of my review are fully documented on this report consisting of a total of 3 pages.

Steve Roberts 03/15/2001  
(Signature) (Date)

Page 3 of 3

Initials: SR

Attachment to Independent Case Review Report  
For CDRU # 6427 Case file # 95-255588.

Material Examiner: Malone (RO)

Remarks:

Case resulted in guilty plea.

Toolmark (wood handle) examination.

CRM 381 B

# INDEPENDENT CASE REVIEW REPORT

Independent Review conducted by: Robert B. Moberley, U.S. Postal Inspection Service

Area(s) of Expertise: Fracture match / Physical reconstruction

Review commenced at: 12:45P (Time), 7/17/01 (Date)

File #: 95-255588

Laboratory #(s): 30526052 S RQ UL

30531083 S UL

### Examiner(s) & Symbols

	Reviewed	Not Reviewed		Reviewed	Not Reviewed
<u>Malone (RQ)</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
<u>[ ] (U)</u>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>

### Materials Reviewed

Trial testimony transcript(s) of: \_\_\_\_\_

Testimony Date(s): \_\_\_\_\_ Pages: \_\_\_\_\_

### Laboratory Report(s):

Laboratory Number: 30526052 S RQ UL Date: 8/9/83

Laboratory Number: 30531083 S UL Date: \_\_\_\_\_

Laboratory Number: \_\_\_\_\_ Date: \_\_\_\_\_

Examiner Bench Notes of: Malone

Laboratory Number: 30531050

Laboratory Number: \_\_\_\_\_

Laboratory Number: \_\_\_\_\_

Page 1 of 3

Initials: RM

Was any other material reviewed?  Yes  No

If yes, please identify and/or describe the material: Notes & photographs

### Results of Review

File #: 95-255588

Item or Specimen # Reviewed: Q1 & Q2

#### Review of Laboratory Report(s) and Bench Notes:

Note: Numbered comments are required below or on additional pages for any "No" or "Unable to Determine" Responses

- 1) Did the examiner perform the appropriate tests in a scientifically acceptable manner, based on the methods, protocols, and analytic techniques available at the time of the original examination(s)?  
 Yes  No  Unable to Determine
- 2) Are the examination results set forth in the laboratory report(s) supported and adequately documented in the bench notes?  
 Yes  No  Unable to Determine

#### Review of Testimony:

Note: Numbered comments are required below or on additional pages for any "No" or "Unable to Determine" Responses

Transcript not available.

- 3) Testimony consistent with the laboratory report(s)?  Yes  No  Unable to Determine
- 4) Testimony consistent with the bench notes?  Yes  No  Unable to Determine
- 5) Testimony within bounds of examiner's expertise?  Yes  No  Unable to Determine

Page 2 of 3

Initials LC

Comments

(Set forth by above question #, if applicable.  
Use "Additional Comments" Sheet, if needed)

Photo notes document the physical fit but are annotated with a lab number not listed in the other documentation or lab report. The other examiner laboratory notes thoroughly describe the items essentially confirming the photos.

Review completed at: 1:00 P (Time), 7/17/01 (Date)

Total time spent conducting review (to nearest 1/4 hour): 1/2 hour

I hereby certify that I conducted this review in an independent, unbiased manner and that the results of my review are fully documented on this report consisting of a total of 3 pages.

Robert M. Mundy 7/17/01  
(Signature) (Date)

Page 3 of 3

Initials RM